

Remarks

The present Amendment and Response is believed to be fully responsive to the Final Office Action dated March 16, 2010. Claims 60-101 have been examined and are rejected. By the present Amendment, independent Claims 60, 79, and 99 and dependent Claims 61, 66, 69-78, 80, 85, 89, 92, 96, and 97 have been amended. New independent Claims 120 and 121 and new dependent Claims 102-119 have been added. Claims 100 and 101 have been cancelled. Claims 1-59 were previously cancelled without prejudice by prior amendments. It is respectfully submitted that no new matter has been added by the foregoing amendments. Reconsideration of the application is requested in view of the following remarks.

The Attorney for the Assignee would like to thank the Examiner for the telephonic Examiner's Interview conducted on April 5, 2010. During the Interview, various claim amendments that address the rejections under 35 U.S.C. § 112 were discussed, and an agreement with respect to the claims was reached. More specifically, an agreement was reached to amend Claim 60 to recite "accessing, from at least one database ... utilizing at least a portion of the received information identifying the payee, stored billing information." Claims 73, 79, 92, and 99 have been amended in a similar manner. As discussed in the Interview, these amendments clarify the information that is being accessed. Accordingly, the amended claims satisfy the requirements of 35 U.S.C. § 112.

Additionally, an agreement was reached to amend the recitations of "data store" in Claims 70 and 89 to recite "the at least one database." Accordingly, any potential disagreement between these claims and their respective independent claims has been alleviated.

Finally, an agreement was reached to amend certain dependent claims in order to remove any potential redundancies associated with the claims. In light of the amendments agreed upon in the interview, it is believed that all of the rejections under 35 U.S.C. § 112 have been traversed. Accordingly, it is believed that the application is in condition for allowance.

Allowable Subject Matter Indicated

Attorney for the Assignee would like to thank the Examiner for the indication of allowable subject matter. More particularly, the Office Action indicated that dependent Claims

78, 97, 100, and 101 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By the present Amendment, independent Claim 60 has been amended to include the recitations of allowable dependent Claim 100. Similarly, independent Claim 79 has been amended to include the recitations of allowable dependent Claim 101. Independent Claim 99 has been amended in a similar manner. As indicated by the Office Action, it is respectfully submitted that amended independent Claims 60, 79, and 99 are in condition for allowance (See Office Action at pages 12-13).

Additionally, by the present Amendment, new independent Claims 120 and 121 have been added. New dependent Claim 120 includes the recitations of allowable dependent Claim 78, its base claim, and intervening Claim 77. Similarly, new dependent Claim 121 includes the recitations of allowable dependent Claim 97, its base claim, and intervening Claim 96. As indicated by the Office Action, it is respectfully submitted that new independent Claims 120 and 121 are in condition for allowance (See Office Action at pages 12-13).

For at least the reasons set forth above, it is respectfully submitted that independent Claims 60, 79, 99, 120, and 121 are in condition for allowance. Additionally, it is respectfully submitted that dependent claims 61-78 and 80-98 are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features. Accordingly, it is respectfully asserted that the pending claims of the application are in condition for allowance and prompt allowance of the same is requested.

Claim Rejections Under 35 U.S.C. § 112

The Office Action rejected Claim 60, 69, 71-73, 75, 76, 78, 79, 89, 92 and 99 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. More specifically, the Office Action argued that the recitation in Claim 60 of “accessing, by the clearinghouse ... based at least in part on information identifying the payee, stored billing information from at least one database” is vague and indefinite. The Office Action further argued that similar recitations in Claims 73, 79, 92, and 99 are vague and indefinite.

By the present Amendment, independent Claim 60 has been amended to recite “accessing, from at least one database ... utilizing at least a portion of the received information identifying the payee, stored billing information.” Claims 73, 79, 92, and 99 have been amended in a similar manner. As agreed in the telephonic Examiner’s Interview, these amendments clarify that received payee identifying information is utilized to access stored billing information. Accordingly, it is respectfully asserted that amended Claims 60, 73, 79, 92, and 99 satisfy the requirements of 35 U.S.C. § 112.

Additionally, the Office Action contended that the recitations of “data store” in Claims 70 and 89 are unclear in light of the introduction of “at least one database” in independent Claims 60 and 79. By the present Amendment, the recitations of “data store” in Claims 70 and 89 have been amended to recite “the at least one database.” As agreed in the telephonic Examiner’s Interview, it is respectfully submitted that any potential clarity issues have been resolved by these amendments. Accordingly, it is respectfully asserted that amended Claims 70 and 89 satisfy the requirements of 35 U.S.C. § 112.

The Office Action further argued that recitations of “second information” in Claims 69, 71, 73, 88, 90, and 92 were unclear because corresponding “first information” was only mentioned in the claim preambles. However, as discussed in the telephonic Examiner’s Interview, the first information was defined in respective “wherein” clauses of the relevant claims rather than in the preambles. Accordingly, as agreed in the Interview, Claims 69, 71, 73, 88, 90, and 92 satisfy the requirements of 35 U.S.C. § 112.

Finally, the Office Action contended that Claims 72, 75, 76, and 78 include redundant recitations. Although these claims are believed to be drafted in proper form, as discussed in the telephonic Examiner’s Interview, these claims have been amended to remove any potentially redundant recitations. For example, the recitation in Claim 72 of “wherein receiving second bill information associated with bills of the payee comprises receiving second bill information associated with bills of the payee subsequent to the receipt of the information identifying the payee” has been amended to recite “wherein the second bill information is received subsequent to the receipt of the information identifying the payee.” Claims 75, 76, and 78 have been amended in a similar manner. As agreed in the Interview, amended Claims 72, 75, 76, and 78 do not include redundant recitations, and therefore, satisfy the requirements of 35 U.S.C. § 112.

Claim Rejections Under 35 U.S.C. § 103

In the Non-final Office Action, Claims 60-99 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,884,288 to Chang, et al. (hereinafter "*Chang*") in view of U.S. Patent No. 6,493,685 to Ensel, et al. (hereinafter "*Ensel*") and in further view of U.S. Patent No. 6,173,272 to Thomas, et al. (hereinafter "*Thomas*").

Although independent Claims 60, 79, and 99 are believed to be allowable over the cited references, in order to expedite allowance of the present application, independent Claims 60, 79, and 99 have been amended to include recitations that were found to be allowable by the Final Office Action. More specifically, independent Claims 60 and 79 has been amended to respectively include the recitations of allowable dependent Claims 100 and 101. Independent Claim 99 has been amended in a similar manner. It is respectfully submitted that the rejections under 35 U.S.C. § 103 have been successfully traversed by the amendments to independent Claims 60, 79, and 99. Accordingly, it is respectfully asserted that amended independent Claims 60, 79, and 99 are in condition for allowance.

Additionally, by the present Amendment, allowable dependent Claims 78 and 97 have been respectively rewritten in independent form as new independent Claims 120 and 121. As indicated in the Office Action, it is respectfully submitted that new independent Claims 120 and 121 are allowable over the cited art of record. Accordingly, it is respectfully asserted that new independent Claims 120 and 121 are in condition for allowance.

Finally, it is respectfully asserted that dependent Claims 61-78, 80-98, and 102-119 are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features. Accordingly, it is respectfully asserted that the pending claims of the application are in condition for allowance and prompt allowance of the same is requested.

Conclusion

It is believed that each matter raised by the Office Action has been responded to. It is not believed that extensions of time or fees for net addition of claims are required beyond those which may be otherwise provided for in the documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by teleconference call or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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